

Eliezer Lekht (330192021)  
TARTER KRINSKY & DROGIN LLP  
1350 Broadway  
New York, NY 10018  
Telephone: (212) 216-8000  
Fax: (212) 216-8001  
E-mail: elekht@tarterkrinsky.com

*Attorneys for Plaintiff August Image, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
CAMDEN DIVISION**

**CASE NO.: 1:23-CV-21861-RMB-AMD**

AUGUST IMAGE, LLC,

Plaintiff,

v.

HIP HOP UNCENSORED, INC.,

Defendant.

---

**MOTION TO STRIKE DOCKET ENTRY 12 – AFFIDAVIT OF DEREK NICHOLSON**

Plaintiff AUGUST IMAGE, LLC (“August”) by and through its undersigned counsel, hereby moves this Honorable Court to Strike Docket Entry 12, the Affidavit of Derek Nicholson, and as grounds therefore states as follows:

1. August filed its Complaint on November 3, 2023. (ECF 1).
2. Defendant HIP HOP UNCENSORED, INC. (“Hip Hop”) was served on April 9, 2024, by serving its CEO, Derek O. Nicholson at 5 Clayton Court, Egg Harbor Township, New Jersey. (ECF 11).
3. On April 29, 2024, Derek Nicholson filed an Affidavit (the “Affidavit”) with the Court (ECF 12).

4. Upon information and belief, Mr. Nicholson is not an attorney.

5. The Affidavit filed at ECF 12 should be stricken. Hip Hop is a New Jersey corporation, and as such, is required to be represented by counsel and cannot be represented *pro se* by a corporate representative. See *Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993) ("It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel").

6. Hip Hop's Affidavit (ECF 12) should be stricken.

WHEREFORE, Plaintiff AUGUST IMAGE, LLC requests that the Affidavit filed at ECF 12 be stricken.

Dated: August 6, 2024

Respectfully submitted,

/s/ Eliezer Lekht  
ELIEZER LEKHT (330192021)  
[elekht@tarterkrinsky.com](mailto:elekht@tarterkrinsky.com)

**TARTER, KRINSKY, & DROGIN**  
1350 Broadway  
New York, New York 10018  
212.574.0365 - Telephone  
212 216 8001 – Facsimile

*Counsel for Plaintiff August Image, LLC*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on August 6, 2024, a true and correct copy of the foregoing document was filed with the Clerk of Court by using the Court's CM/ECF system and sent via electronic mail and United States Mail to the parties listed below:

*/s/ Eliezer Lekht*  
\_\_\_\_\_  
ELIEZER LEKHT (330192021)

Mr. Derek Nicholson  
Hip Hop Uncensored, Inc.  
5 Clayton Court  
Egg Harbor Township, NJ 08234  
[ogod@hiphopun.com](mailto:ogod@hiphopun.com)